

**Introduced by Senator Alarcon**

February 23, 2006

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An act to add Chapter 6.7 (commencing with Section 52076) to Part 28 of the Education Code, relating to academic performance.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 1526, as introduced, Alarcon. Sustainable School Success Program.

Existing law establishes various programs designed to improve the academic achievement of pupils, including, among others, the High School Pupil Success Act, and the Public Schools Accountability Act of 1999, which contains the Immediate Intervention/Underperforming Schools Program and the High Priority Schools Grant Program and requires the Superintendent of Public Instruction to develop an Academic Performance Index (API) to measure the performance of schools.

This bill would establish the Sustainable School Success Program. The bill would require the Superintendent of Public Instruction to administer the program, in which schools and school districts may voluntarily participate after participating in a specified planning and application process.

The bill would require that schools participating in the program have a schoolsite council, as specified, which would be required to develop a school plan, with specific components, for increasing the API of the school and the academic performance of all pupils, with special emphasis on the needs of high-risk pupils. Schools ranked in the 3 lowest deciles of the API and schools in geographically diverse areas of the state would have priority for participation in the program.

The bill would require a participating school to report to the Superintendent, annually, specified information regarding a participating school's progress toward achieving specified goals.

The bill would provide that the program may not result in additional costs to the General Fund. The bill would authorize a school district to implement the program when flexibility in the usage and expenditure of categorical funding by school districts and schools exists pursuant to law.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Chapter 6.7 (commencing with Section 52076)  
2 is added to Part 28 of the Education Code, to read:

3  
4 CHAPTER 6.7. SUSTAINABLE SCHOOL SUCCESS PROGRAM  
5

6 52076. (a) The Legislature finds and declares all of the  
7 following:

8 (1) Pupils in low-performing schools are disproportionately  
9 from low-income households and are much more likely to be  
10 African-American, Latino, or English language learners than are  
11 pupils in higher achieving schools. In addition, pupils in  
12 low-performing schools are much less likely to be taught by fully  
13 qualified teachers than are pupils in higher achieving schools.

14 (2) A recent study by the California Research Bureau of the  
15 California State Library reported an overall attrition rate of 31.2  
16 percent between 9th grade and graduation for pupils in the class  
17 of 2001. The study also reported that the attrition rate for Latinos  
18 and African-American pupils in the class of 2001 was over 43  
19 percent.

20 (3) A 2004 study by the California Research Bureau found that  
21 in southern California and in the Central Valley, 21 percent of  
22 California youth aged 16 to 19 years and people aged 20 to 24  
23 years who do not have a high school diploma are not in school  
24 and are also not in the workforce.

25 (4) Numerous state and federal categorical programs have  
26 been developed and implemented to assist these pupils, but not  
27 all of these programs have provided evidence of improved pupil

1 outcomes in terms of sustained achievement, higher graduation  
2 rates, and other indicators of pupil success.

3 (5) State and federal laws and programs frequently overlap  
4 and create multiple separate reports, individual evaluations, and  
5 compliance requirements without improving pupil outcomes.

6 (b) It is, therefore, the intent of the Legislature to address these  
7 concerns by enacting legislation to establish the Sustainable  
8 School Success Program in order to improve pupil outcomes in  
9 terms of sustained achievement, higher graduation rates, and  
10 other indicators of pupil success by giving greater local control  
11 of existing categorical funds on a school-by-school basis.

12 52076.1. For purposes of this chapter, the following  
13 definitions apply:

14 (a) “Fully qualified teacher” means a teacher who holds a clear  
15 credential appropriate to the grade level and subject matter that  
16 the teacher is assigned to teach, and if English language learners  
17 are assigned to that teacher’s classroom, the teacher possesses a  
18 BCLAD or CLAD certification.

19 (b) “Outreach specialist” means a person who has expertise in  
20 federal and state categorical programs, and strategies to address  
21 the needs of low-achieving pupils, including English language  
22 learners, and excellent communication and consensus-building  
23 skills, and who is enrolled in the outreach specialist certificate  
24 program offered by the California State University within 90  
25 days of the date of employment as an outreach specialist in a  
26 participating school.

27 (c) “School success” means the sum of individual pupil  
28 success at an individual schoolsite, as measured by multiple  
29 criteria, including, but not limited to, all of the following:

30 (1) Longitudinal individual pupil achievement data, including  
31 scores administered pursuant to the Standardized Testing and  
32 Reporting (STAR) Program set forth in Article 4 (commencing  
33 with Section 60640) of Chapter 5 of Part 33, and primary  
34 language assessment, where applicable, as long as the pupil is in  
35 the school district.

36 (2) Attendance, retention, and graduation rates.

37 (3) Suspension and expulsion rates.

38 52076.2. (a) The Sustainable School Success Program is  
39 hereby established within the department, and shall be  
40 administered by the Superintendent.

(b) The program shall include the following core elements and shall do all of the following:

(1) Allow school districts and schools to voluntarily participate in the program.

(2) Empower individual local communities by giving them unprecedented flexibility to use categorical funds to comprehensively address the needs of all pupils and to integrate state and federal programs and requirements into a single school plan for continuous improvement.

(3) Comprehensively define school success and adopt strategies to measure and document individual pupil longitudinal progress.

(4) Document efforts by school boards and senior administrators to recruit and assign fully qualified teachers to participating schools.

(5) Provide new pupil and teacher support systems, including, among others, employment facilitators or outreach specialists, to reach out to parents and to the community and to assist schools in the planning and implementation of teacher and pupil support programs.

(6) Provide for ongoing evaluation of program outcomes and a mechanism to reward successful schools.

(c) Schools ranked in deciles 1 to 3, inclusive, on the most recent Academic Performance Index (API), as defined in Section 52052, shall have priority for participation in the program. The Superintendent shall also give priority, in the selection of schools for participation in the program, to schools of all grade levels in geographically diverse areas of the state, with preference to clusters of schools that allow pupil progress to be sustained and documented during the pupils' entire school experience.

52076.3. (a) This chapter shall apply only to school districts and to schools that elect to participate in the program pursuant to this chapter.

(b) A school district may, on behalf of one or more schools within the district that elect to participate in the program, apply to the Superintendent for participation in the program.

(c) No school may operate a program pursuant to this chapter unless both of the following have been done:

(1) The school district in which the school is located has submitted an application to operate the program to, and has

1 received the approval to operate the program from, the  
2 Superintendent.

3 (2) The governing board of the school district has approved a  
4 newly developed schoolwide improvement plan as described in  
5 subdivision (a) of Section 52076.4, or a revision of the  
6 previously approved schoolwide improvement plan as described  
7 in subdivision (c) of Section 52076.7, and this plan is retained at  
8 the schoolsite.

9 52076.4. (a) Prior to applying for participation in the  
10 program, a school district shall engage in a program planning  
11 period of up to a year. As part of this planning process, a school  
12 district shall review the requirements for federal categorical aid  
13 programs and shall develop a schoolwide improvement plan in  
14 conformance with these requirements and with the program  
15 design principles in this chapter. A school district shall  
16 incorporate into the schoolwide improvement plan as many of the  
17 components of the Comprehensive School Reform Program of  
18 the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec.  
19 6301 et seq.) as practical.

20 (b) The application of a school district for participation in the  
21 program shall state the commitment of the school district to  
22 recruit and to employ fully qualified teachers in each  
23 participating school in the district. Up to 5 percent of the funds  
24 apportioned to a school for the program may be used for salary  
25 incentives or other incentives to attract and retain fully qualified  
26 teachers in participating schools.

27 52076.5. The governing board of each school district  
28 participating in the program shall do all of the following:

29 (a) Ensure that the principal of each school in the school  
30 district receives information covering the program, as described  
31 in this chapter, and provides that information to teachers, other  
32 school personnel, parents, and, in secondary schools, pupils.

33 (b) Adopt policies to ensure that, prior to a school beginning to  
34 develop a plan pursuant to Section 52076.4, a schoolsite council,  
35 as described in Section 52076.6, is established at the schoolsite to  
36 consider whether or not the school will apply to participate in a  
37 school-based program. The governing board shall ensure that all  
38 interested persons, including, but not limited to, the principal,  
39 teachers, other school personnel, parents, and, in secondary

1 schools, pupils, have an opportunity to meet in public to establish  
2 the schoolsite council.

3 52076.6. (a) Except as specified in subdivision (e), each  
4 school that elects to participate in the program shall have a  
5 schoolsite council which shall be composed of the principal and  
6 representatives of all of the following:

7 (1) Teachers, who shall be selected by teachers at the school.

8 (2) Other school personnel, who shall be selected by other  
9 school personnel at the school.

10 (3) Parents of pupils attending the school, who shall be  
11 selected by the parents of pupils attending the school.

12 (4) In secondary schools, pupils, who shall be selected by  
13 pupils attending the school.

14 (b) Each school is encouraged to include representatives of the  
15 business community as members of the schoolsite council. These  
16 representatives shall be selected by parents.

17 (c) (1) At the elementary level, the schoolsite council shall be  
18 constituted to ensure parity between both of the following:

19 (A) The principal, classroom teachers, and other school  
20 personnel.

21 (B) Parents and, if applicable, other community members  
22 selected by parents.

23 (2) At the secondary level, the schoolsite council shall be  
24 constituted to ensure parity between both of the following:

25 (A) The principal, classroom teachers, and other school  
26 personnel.

27 (B) Equal numbers of parents, other community members  
28 selected by parents, and pupils.

29 (3) Middle schools may choose either the elementary or  
30 secondary model for configuring the schoolsite council.

31 (d) At both the elementary, middle school, and secondary  
32 levels, classroom teachers shall comprise the majority of persons  
33 represented under subparagraph (A) of paragraph (1) of  
34 subdivision (c) and under subparagraph (A) of paragraph (2) of  
35 subdivision (c), as applicable.

36 (e) If the school does not have a schoolsite council, an existing  
37 schoolwide advisory group or school leadership group may be  
38 utilized as the schoolsite council if the group conforms to the  
39 requirements of this section.

1 52076.7. (a) For school-based programs pursuant to this  
2 chapter, the schoolsite council required pursuant to Section  
3 52076.6 shall develop a school plan for increasing the Academic  
4 Performance Index (API) of the school and the academic  
5 performance of all pupils in the school, with special emphasis on  
6 the needs of high-risk pupils.

7 (b) The school plan described in subdivision (a) shall include,  
8 but need not be limited to, all of the following:

9 (1) The selection of multiple measures of school success,  
10 including, but not limited to, all of the following:

11 (A) Scores on tests administered pursuant to the Standardized  
12 Testing and Reporting (STAR) Program set forth in Article 4  
13 (commencing with Section 60640) of Chapter 5 of Part 33.

14 (B) Primary language assessment, where appropriate.

15 (C) Attendance.

16 (D) Grade completion.

17 (E) Graduation rates.

18 (2) Documentation of longitudinal progress of individual  
19 pupils.

20 (3) A staff development program for administrators, teachers,  
21 outreach specialists, other school personnel, paraprofessionals,  
22 and volunteers, including those participating in special programs.

23 (4) Provisions for participation in the peer group technical  
24 support, new applicant school training, schoolwide program  
25 development, and staff development activities organized and  
26 provided by the network organization of schools implementing  
27 the program.

28 (5) Provisions for the utilization of a pupil success team  
29 process that meets weekly, on average, to identify and assess the  
30 needs of pupils who are failing or who are candidates for  
31 retention at their grade level, dropouts, or potential dropouts, and  
32 provisions to develop programs to meet the needs of those pupils.

33 (6) Notwithstanding any other provision of law or regulation,  
34 when the enrollment of a school includes English language  
35 learners, the school plan shall include instructional strategies for  
36 those pupils, which strategies shall be research-based and draw  
37 on successful models and practices. The instruction, curricula,  
38 assessments, and program design shall take into account how  
39 pupils best learn in their first and in their second languages.

1 (7) A duty statement describing the specific duties of the  
2 outreach specialist and limiting the outreach specialist's duties to  
3 only activities that benefit high-risk pupils.

4 (8) Procedures for a team or school committee to coordinate  
5 services from federal and state funding sources at the school  
6 level to assist pupils to participate successfully in the core  
7 academic curricula and in specialized curricula related to jobs  
8 and career opportunities.

9 (9) Instructional and auxiliary services to meet the special  
10 needs of pupils identified as being at high risk of not succeeding  
11 in the regular school program or of dropping out of school, of  
12 educationally disadvantaged pupils, of gifted and talented pupils,  
13 and of pupils with exceptional needs.

14 (10) Provisions for early identification and intervention to  
15 address problems interfering with the pupil's school success,  
16 including, but not limited to, the assessment of pupils in order to  
17 identify, and to commence remediation of, developmental or  
18 other learning difficulties.

19 (11) An emphasis on literacy, state grade level standards, and  
20 basic skills development.

21 (12) An emphasis on curriculum content and teaching  
22 strategies that are relevant to English language learners.

23 (13) A plan that integrates and coordinates the skills and  
24 talents of outreach specialists.

25 (14) Other activities and objectives established by the  
26 schoolsite council.

27 (15) The proposed expenditure of funds available to the school  
28 from all allowable funds.

29 (c) The schoolsite council shall annually review the school  
30 plan, establish a new budget, and, if necessary, make other  
31 modifications in the plan to reflect changing needs and priorities.

32 (d) The plan required by subdivision (a) shall be available to  
33 the Superintendent upon request and shall be made available to  
34 the public on a reasonable basis pursuant to the provisions of the  
35 California Public Records Act (Chapter 3.5 (commencing with  
36 Section 6250) of Division 7 of Title 1 of the Government Code).

37 52076.8. The Superintendent shall do all of the following:

38 (a) Assist school districts and schools, upon request, in  
39 designing, implementing, or evaluating school plans described in  
40 Section 52076.7.



(b) Conduct program quality and fiscal reviews to do all of the following:

(1) Ensure that funds allocated according to school plans and budgets pursuant to this chapter are expended for the purposes intended.

(2) Provide information helpful to schools in improving their programs, including dissemination of successful practices in other schools.

(3) Provide information and technical assistance directly or with the assistance of field personnel as described in subdivision (e).

(c) Establish an information dissemination repository, including, but not limited to, model programs, instructional strategies, and effective practices for working with high-risk pupils and increasing the pupil retention of schools and school dropout recovery programs. This repository shall be made available to school districts.

(d) Provide schools eligible to apply for grants under the High Priority Schools Grant Program (Article 3.5 (commencing with Section 52055.600) of Chapter 6.1) with all of the following information with respect to that program:

(1) Program elements for dropout prevention and pupil support strategies.

(2) Model programs and instructional strategies for high-risk pupils.

(3) Effective practices for increasing pupil retention and dropout recovery programs.

(4) Eligibility requirements and application procedures.

(e) The Superintendent shall utilize the services of field personnel with expertise with respect to, and knowledge of, successful pupil motivation and maintenance programs in order to assist the Superintendent in carrying out the activities described in this section.

52076.9. (a) Each participating school shall submit pupil achievement and performance data to the Superintendent, on an annual basis, as part of the school's school plan review pursuant to subdivision (c) of Section 52076.7, as described in paragraph (1) of subdivision (b) of Section 52076.7.

(b) Subject to the appropriation of funds by the Legislature for this purpose, the Superintendent shall contract with a third party

1 for an evaluation of the effectiveness of the program by the year  
2 2010 and every year thereafter.  
3 52076.10. The program established pursuant to this chapter  
4 may not result in additional costs to the General Fund. The  
5 program may be implemented when sufficient flexibility in the  
6 usage and expenditure of categorical funding by school districts  
7 and schools exists pursuant to law.

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